

ENVIRONMENTAL HEARINGS OFFICE

Minutes of Meeting

February 8, 2011

9:00 a.m.

The February 8, 2011 meeting was called to order by Chair Andrea McNamara Doyle in the Boards' office in Tumwater, Washington. Present were Chair Andrea McNamara Doyle, Board Members Bill Lynch and Kathy Mix and Administrative Appeals Judges Kay Brown and Phyllis Macleod, Administrative Manager Robyn Bryant, and Administrative Secretary Janet Buechler. Minutes of the January 11, 2011 meetings were read and approved.

Handouts were distributed and were reviewed. The reports included the number and type of pollution and shoreline appeals filed, a brief summary of all cases that have closed, and the Case Statistics Report.

Appellate Report

Janet Buechler reported that two Superior Court Appeals have been filed, both for *Rosemere, et al. v. Ecology, et al.*, in Clark County Superior Court. A decision was also received from the Court of Appeals regarding *Friends of the San Juans v. Hughes, et al.*, which affirmed the Superior Court decision.

New Ecology Enforcement Actions

Andrea McNamara Doyle talked about a new type of Ecology enforcement action concerning Discharge Monitoring Reports which result in the issuance of Administrative Orders and Penalties. In the event a large number of appeals are received concerning these matters, further discussion might be necessary to conveniently schedule the hearings.

Legislative Update

Bill Lynch gave an update on pending legislation which would affect the EHO. This included appeals which might come to the EHO due to legislative action, including hydraulic and water rights changes. Kathy Mix reported she attended the Ways and Means Committee meeting on Natural Resource Reform.

VEBA Small Agency Voting Pool

The final VEBA policy was brought before the Board and unanimously adopted.

Financial Update

Robyn Bryant reported that a small accumulation of savings remains due to lower expenditures thus far. Andrea McNamara Doyle discussed both the current proposed supplemental budget and the 2011-2013 budget and the possible impacts to EHO.

Miscellaneous

Jan Buechler reported there were an increased number of document copy requests which was most likely due to the several high-profile cases.

There will also be a Strategic Planning Session Meeting for all EHO members and staff later in the month.

Meeting adjourned.

Janet Buechler
Administrative Secretary